

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2000-511-S - ORDER NO. 2001-293

APRIL 4, 2001

IN RE: Petition of Carolina Water Service, Inc. for	)	ORDER DENYING
Approval of an Agreement with Georgetown	)	MOTION TO FILE
County Water and Sewer District for Bulk	)	TESTIMONY
Sewer Collection Service.	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion of the South Carolina Department of Health and Environmental Control (DHEC) for leave to reply to testimony of the Commission Staff. DHEC also attached proposed reply testimony. Because of the reasoning stated below, the Motion is denied.

DHEC's stated grounds for its Motion are that it could not have anticipated the Commission Staff's testimony before it was filed, and DHEC wants to put its position, regarding the environmental and public policy issues, before the Commission for consideration. DHEC further states its desire to submit the testimony of Jeff deBessonnet, P.E., Director of the Water Facilities Permitting Division, Bureau of Water, DHEC to the Commission.

Carolina Water Service, Inc. (CWS) filed a return in opposition to the Motion. CWS states that the Motion is improper, as the proposed testimony would be filed out of time pursuant to our scheduling order in this case, Order No. 2001-038. Further, CWS notes, among other things, that the granting of the Motion would delay the hearing and

prolong the proceedings, since CWS and possibly other parties would insist on filing reply testimony and exhibits to the DHEC testimony.

We have examined this matter, and we agree with CWS. DHEC failed to file its testimony in compliance with our scheduling Order. Further, granting the Motion would unduly delay the hearing in this matter, since the other parties would want to file reply testimony and exhibits. Accordingly, DHEC's Motion is denied.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)